

72nd round of compulsory testing for staff members of RCHEs, RCHDs and nursing homes

The Government today (July 20) announced the details of the 72nd round of compulsory testing for staff members of residential care homes for the elderly (RCHEs), residential care homes for persons with disabilities (RCHDs) and nursing homes.

In accordance with section 10(1) of the Prevention and Control of Disease (Compulsory Testing for Certain Persons) Regulation (Cap. 599J) (the Regulation), the Secretary for Health issued a compulsory testing notice yesterday (July 19), requiring persons who are employed by and will be on duty at RCHEs, RCHDs, nursing homes and day service units attached to the premises of residential care homes during the period from July 27 to August 2, 2022, or who will provide services to residents or users through hire-of-service contracts with residential care homes and the aforementioned units during that period (including full-time, part-time and relief staff), to undergo polymerase chain reaction-based nucleic acid tests for COVID-19 once during the period from July 20 to 26, 2022, according to the requirements and procedure set out in the notice (the Specified Test), if they have not received vaccine(s) for coronavirus disease 2019 (COVID-19 vaccine) in the manner specified in Annex 1 of the Vaccine Pass Direction issued under the Prevention and Control of Disease (Vaccine Pass) Regulation (Cap. 599L) (Vaccine Pass Direction). The samples must be collected by using combined nasal and throat swabs and must not be taken by the person to be tested.

For ordinary persons, the manner specified in Annex 1 of the Vaccine Pass Direction for receiving COVID-19 vaccines is either (i) received three doses of vaccine or (ii) within six months after having received the second dose of vaccine. For recovered persons, the manner specified in Annex 1 of the Vaccine Pass Direction for receiving COVID-19 vaccines includes (i) received three or two doses of vaccine; (ii) no additional dose required within six months after recovery; (iii) within six months after having received the first dose of vaccine after recovery; or (iv) aged 12 to 17 and received one dose of Fosun Pharma/BioNTech COVID-19 vaccine (Comirnaty vaccine).

A person who received COVID-19 vaccine in a place outside Hong Kong would be deemed to have fulfilled the third dose requirement if he or she received the "dose(s) required" on the list of recognised vaccines (the List) on the Government's COVID-19 Thematic Website (www.coronavirus.gov.hk/pdf/list_of_recognised_covid19_vaccines.pdf) and an additional dose of a vaccine on the List. For a person who has been fully or partially vaccinated with vaccine not on the List, he or she is required to start over with vaccines available in Hong Kong following the local recommended schedule.

The staff of institutions who had obtained a positive test result in a polymerase chain reaction-based nucleic acid test or rapid antigen test for COVID-19 on or after June 20, 2022, are not required to undergo testing in accordance with the requirements of the notice provided that they can produce the relevant SMS (mobile phone text message) notification containing the positive result of the test, or the relevant SMS notification or isolation order issued after making a declaration on the Government's Declaration System for Individuals Tested Positive for COVID-19 Using Rapid Antigen Test.

The staff of institutions who are required to undergo the Specified Test may choose the following means:

- (1) To undergo the Specified Test in any of the Community Testing Centres (see the list at www.communitytest.gov.hk/en), Temporary Testing Centres (if any) (see the list at www.swd.gov.hk/en/index/site_pubsvc/page_supportser/sub_ttc), or mobile specimen collection stations (if any) (see the list at www.coronavirus.gov.hk/eng/early-testing.html) in accordance with the instructions given by the staff at the centre/station;
- (2) To have a sample collected by a healthcare professional or trained personnel as arranged by institution operators at a laboratory listed on the "COVID-19 Thematic Website" (see the list at www.coronavirus.gov.hk/pdf/List_of_recognised_laboratories RTPCR.pdf); or
- (3) To self-arrange testing provided by a laboratory listed on the "COVID-19 Thematic Website" at their own expense (see the list at www.coronavirus.gov.hk/pdf/List_of_recognised_laboratories RTPCR.pdf) and the sample through a combined nasal and throat swab must not be taken by the person himself or herself.

Any person who fails to comply with the testing notice commits an offence and may be subject to a fixed penalty of \$10,000. He or she would also be issued with a compulsory testing order requiring him or her to undergo testing within a specified time frame. Failure to comply with the order is an offence and the offender would be liable to a fine at level 5 (\$50,000) and imprisonment for six months.

A spokesman for the Social Welfare Department (SWD) said that the SWD and the Department of Health would issue letters to institutions to inform them of the relevant arrangements and requirements. The spokesman reminded staff of the said institutions who will undergo testing at community testing centres that they should make an advance booking via the community testing centre booking system (www.communitytest.gov.hk) for the free testing service. In addition, institution operators should remind their staff members to properly keep the SMS notifications of their test results or their test result reports.

Institution operators are required to keep records of their staff having received the Specified Test and the results within the time frame specified

by the Government. They are also required to keep the list of staff members who have received COVID-19 vaccine in the manner specified in Annex 1 of the Vaccine Pass Direction. Institution operators also have to co-operate with Checking Officers (Compulsory Testing) of the SWD who are enforcing the Regulation at residential care homes.

The SWD spokesman said that starting from the 26th round of compulsory testing, staff members who have not been vaccinated and do not have medical certificates certifying that they are unfit to receive COVID-19 vaccination owing to health reasons have had to undergo compulsory testing at their own expense. The Government will continue to monitor the epidemic situation and make adjustments to the aforementioned testing policy after taking the overall anti-epidemic measures into account.